

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. 2:13-CR-00803-1
	§	
RICARDO ESTRADA; aka RICKY	§	

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(A); and

(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant is substantial. The Defendant was overheard during a Title III intercept discussing the drug transaction leading to the arrest related to Count Two. The defendant has family members living in Mexico and he travels there frequently. He has three felony convictions for possession of marihuana. The findings and conclusions contained in the Pretrial Services Report are adopted, supplemented by the testimony of the Defendant's sister, cousin, and uncle. The defendant was on bond for a misdemeanor offense when the crime alleged in Count Two was committed. In

addition, he was on felony probation for Possession of Marihuana in 2002 when he committed another felony possession of marihuana in 2003, reflecting that he is either unwilling or unable to comply with conditions of release. He is a poor bond risk.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 8th day of October, 2013.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE